



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931**

June 5, 2003

Dick Johnson
General Consultants, Inc.
1217 Ann Street
Parkersburg, West Virginia 26101

SUBJECT: CESIUM 137 SOURCES

Dear Mr. Johnson:

This refers to my visit to your facility of February 4, 2003, and our subsequent telephone discussions through May 19, 2003. Based on observations at your facility and discussions with you, it was determined that you had secured and safely stored the following materials pending disposal:

| | <u>Isotope</u> | <u>Activity</u> | <u>Form</u> |
|----|----------------|---|--|
| 1) | Cs-137 | 0.8 to 1.0 uCi each | 4 rod sources initially distributed by Picker |
| 2) | Cs-137 | 3.0 uCi | 30 ml of solution Abbott Labs No. 8312-02 Assay date of May , 1973 |
| 3) | Cs-137 | 9.8 uCi by assay on February 4, 2003 | Epoxy resin NEN Labeled as "Cs-137 standard equivalent to 97.8 uCi of Mo-99." |

Attempts were made to contact the manufacturer of Item 3 to obtain additional information regarding the initial activity of the source and initial distribution method. No additional specifics were obtained.

Based on discussions between you and staff members in the Nuclear Regulatory Commissions's (NRC) regional and at headquarters offices, the Cs-137 sources you possess may be disposed of in accordance with the following regulatory requirements:

- For Item 1, the 4 rod sources may be disposed of without regard to their radioactivity because these sources are exempt quantities as defined by 10 CFR 30.18 and are therefore exempt from the requirements for a license set forth in Section 81 of the Atomic Energy Act of 1954, including any amendments thereto. Since these sources are exempt from licensing, they are also exempt from 10 CFR Part 20 and the waste disposal requirements described in Subpart K of Part 20.

- For Item 2, the material may be disposed of by either:
 - (1) transfer to an authorized recipient as provided in 10 CFR 30,
 - (2) release in effluents as authorized under 10 CFR 20.2003 and 10 CFR 20.2007, or
 - (3) transfer for disposal to a licensed low-level waste land disposal facility as provided in 10 CFR 20.2001 and 10 CFR 20.2006.
- For item 3, the material may be disposed of by either:
 - (1) transfer to an authorized recipient as provided in 10 CFR 30, or
 - (2) transfer for disposal to a licensed low-level waste land disposal facility as provided in 10 CFR 20.2001 and 10 CFR 20.2006.

It is our understanding that you intend to dispose of or transfer this material in accordance with the applicable regulatory requirements. Please notify us in writing when you have accomplished this disposal or transfer.

We appreciate your cooperation in this matter. If you have any questions or require additional information, please contact me at (404) 562-4738.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Andy Miller, Health Physicist
Materials Licensing/Inspection Branch 2
Division of Nuclear Materials Safety

cc w/encl:
State of West Virginia

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|-----------|----------|----------|----------|----------|
| OFFICE | RII:DNMS | RII:DNMS | RII:DNMS | RII:EICS |
| SIGNATURE | /RA/ | /RA/ | /RA/ | /RA/ |
| NAME | AMiller | JHenson | DCollins | CEvans |
| DATE | 6/5/03 | 6/2/03 | 6/3/03 | 6/4/03 |
| COPY? | YES NO | YES NO | YES NO | YES NO |

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